

REMARKS

Claims 1-20 are now present in this application. Claims 1, 11, and 19 are independent. By this amendment, claims 1, 11, 19, and 20 have been amended. Reconsideration of this application, as amended, is respectfully requested.

Election of Species Requirement

The Office Action maintains that claims 8-10 and 13-18 are withdrawn from consideration as being drawn to non-elected species. Applicants have not canceled these withdrawn claims since each of these claims depends, either directly or indirectly, from one of independent generic claims 1 and 11, which are believed to be allowable. Upon allowance of independent claims 1 and 11, Applicants respectfully request examination and allowance of these withdrawn claims.

Rejection Under 35 U.S.C. § 103

Claims 1-4, 11, 12, 19, and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter in view of Eiermann based on the descriptions of the figures from US Publication 2004/0261824. This rejection is respectfully traversed.

At the outset, Applicants note that claims 5-7 are listed as rejected on the Office Action summary; however, no formal rejection has been set forth in the Office Action. Therefore, Applicants assume that the claims include allowable subject matter.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, Applicants respectfully submit that independent claims 1 and 19 have been amended to recite combinations of elements in a **laundry machine** including "a circulation pump for pumping circulation water discharged from a tub of the laundry machine and re-supplying it into a drum of the laundry machine" and "a back-current preventing branch unit connected to the steam generator by a steam supply line and to the circulation pump by a circulation line, respectively."

Similarly, independent claim 11 has been amended to recite combinations of elements in a **laundry machine** including “a circulation pump for pumping circulation water discharged from a tub of the laundry machine and re-supplying it into a drum of the laundry machine” and “a spray device connected to the steam generator by a steam supply line and to a circulation pump by a circulation line, respectively.”

Applicants respectfully submit that these combinations of elements as set forth in independent claims 1, 11, and 19 are not disclosed or made obvious by the prior art of record, including Carter and Eiermann.

The Office Action states that it would be obvious to combine a circulation unit and attendant features thereof from a dishwasher as taught by Eiermann with Carter, which discloses a laundry machine to render independent claims 1, 11, and 19 unpatentable.

While Applicants were willing to concede that, for purposes of anticipation, the Examiner cleverly construed Eiermann’s showing of an upside down pot in a dishwasher to read on a drum in a washing machine, that analysis does not hold true for purposes of establishing a *prima facie* case of obviousness. Furthermore, Applicants did not concede the “reasonableness” of such an interpretation, but rather made a good faith effort to clarify the scope of the claims to advance prosecution of the application.

In order to establish a *prima facie* case of obviousness, the teaching of each of the references as a whole must be considered to determine the scope of the prior art. Therefore, the Office Action’s characterization of Eiermann disclosing an upside down pot as a drum is not a reasonable interpretation of the reference as a whole. Plainly put, Eiermann is directed at a dishwasher that includes a cabinet structure to receive pots and other dishes therein. Eiermann does not disclose a tub and drum as these terms are understood by one of ordinary skill in the laundry machine arts and to which the Office Action has relied on as establishing a *prima facie* case of obviousness.

In addition, Eiermann discloses re-circulating liquid in a dishwasher while Carter expressly teaches draining the wash water from the laundry machine and providing fresh water. See page 2, lines 3-19. Therefore, modifying Carter as suggested by the Examiner directly contradicts the teachings of Carter, which requires the replacing of dirty wash water with clean wash water.

Finally, as shown in Fig. 2 of Eiermann, the steam dispenser 7, the unit 8, and the steam jet nozzle 9 are located in a hydraulic circuit of a dishwasher. Therefore, water for steam and water for washing are not separated from each other. In particular, one end of unit 8 is connected to the steam dispenser 7 and the other end of the unit 8 is connected to the steam nozzle. Therefore, steam or hot water is supplied into the unit 8 and the steam or hot water is selectively sprayed through openings 23 and 24. *See* paragraph 28. Clearly, the steam and hot water is delivered through the single line connecting the steam dispenser 7 and the unit 8. As a result, the two-way valve does not prevent circulation water supplied to the spray nozzle from flowing back to the steam supply line or steam supplied to the spray nozzle from flowing back to the circulation line, because there are no separate lines.

As a result, Eiermann fails to show or describe “a back-current preventing branch unit connected to the steam generator by a steam supply line and to the circulation pump by a circulation line, respectively”, as set forth in claims 1 and 19, and “a spray device connected to the steam generator by a steam supply line and to a circulation pump by a circulation line, respectively”, as set forth in claim 11.

According to the present invention, a steam supply line **and** a circulation line are separately connected to the “back-current preventing branch unit” or “spray device.” Therefore, the steam can be supplied into the drum separately from the circulating water or concurrently with the circulating water. The hydraulic circuit of Eiermann does not allow for this to occur because, as noted above, Eiermann fails to provide both a steam supply line and a circulation line connected to the “back-current preventing branch unit” or “spray device.”

For at least the foregoing reasons, Applicants submit that it would not have been obvious to modify Carter with Eiermann and the § 103(a) rejections should be withdrawn. Moreover, even if it were obvious to combine Carter and Eiermann, the hypothetical combination would fail to teach the laundry machines as set forth in independent claims 1, 11, and 13.

With regard to dependent claims 2-7, 12, and 20, Applicants submit that these claims depend, either directly or indirectly, from one of independent claims 1, 11, and 19, and therefore are allowable for at least the same reasons as the independent claims from which they depend, as well

as for their additionally recited subject matter. Reconsideration and allowance thereof are respectfully requested.

Furthermore, with regard to at least claims 2-4 and 20, the Office Action fails to point out where any of the dependent features are shown in the cited references. For example, the Office Action fails to identify the claimed tightly-attaching protrusion formed at an inner circumferential surface of the steam supply unit and at an inner circumferential surface of the circulation water supply unit, to which the back-current preventing plate is attached to maintain air-tightness, as recited in claim 4.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chad D. Wells, Registration No. 50,875, at (703) 205-8000, in the Washington, D.C. area.

Prompt and favorable consideration of this Amendment is respectfully requested.

Application No. 10/753,498
Amendment dated November 26, 2007
Reply to Office Action of August 24, 2007

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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Dated: November 26, 2007

Respectfully submitted,

By


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